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 GLOBAL SIGNALING, LLC

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO BAY AREA RAPID  
 TRANSIT DISTRICT,

Plaintiff,

vs.

GE TRANSPORTATION SYSTEMS  
 GLOBAL SIGNALING, LLC,

Defendant.

AND RELATED COUNTERCLAIM

Case No. C 06-3749 JSW

**STIPULATED REQUEST AND  
~~PROPOSED~~ ORDER MODIFYING  
 PRETRIAL SCHEDULE**

Judge: Hon. Jeffrey S. White

Complaint Filed: June 13, 2006  
 Trial Date: February 1, 2010

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff and Counterdefendant San Francisco Bay Area Rapid Transit District ("BART") and Defendant and Counterclaimant GE Transportation Systems Global Signaling, LLC ("GETS") hereby stipulate and request that the Court issue an order reflecting a modest adjustment to the pre-trial schedule set forth in its May 1, 2009 Order. As a result of the parties' diligence in completing fact discovery in this matter, the parties are in the process of exchanging further collections of documents of particular relevance to the parties' respective experts. Despite the parties' best efforts to produce and review these documents in a timely manner, the parties require, and therefore respectfully request, a short extension of the expert discovery and corresponding dispositive motion deadlines.

The Special Master, the Honorable William Bettinelli, joins the parties in requesting an adjustment of the dispositive motion schedule. The Special Master continues to recognize the parties' substantial progress, but further recognizes that an extension of time is necessary for the parties to prepare their respective expert witness disclosures. See Discovery Order No. 12 (July 1, 2009) (attached as Exhibit A).

The parties have accordingly met and conferred and, with the assistance of the Special Master, stipulated to the proposed pre-trial schedule, subject to the approval of the Court, as set forth below:

- Fact discovery deadline: July 9, 2009
- Last day for expert disclosures: July 31, 2009<sup>1</sup>
- Rebuttal expert disclosures: Aug. 19, 2009<sup>2</sup>
- Dispositive motion deadline: Sept. 9, 2009<sup>3</sup>
- Opposition briefs to dispositive motions: Sept. 29, 2009
- Reply briefs in support of dispositive motions: Oct. 13, 2009
- Dispositive motion hearing: Nov. 6, 2009

/// Pretrial conference: February 1, 2010 at 2:00 p.m.  
 Trial: February 22, 2010 at 8:00 a.m.

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<sup>1</sup> Currently July 10, 2009, per Discovery Management Order No. 11.

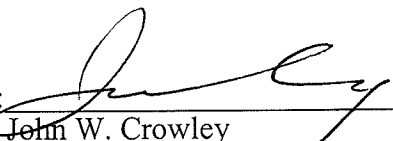
<sup>2</sup> Currently August 4, 2009, per Discovery Management Order No. 11.

<sup>3</sup> Currently, August 31, 2009, per this Court's Order of May 1, 2009.

1 IT IS SO STIPULATED.

2 DATED: June 30, 2009

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John W. Crowley


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18 DATED: June 30, 2009


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19  
20 By:   
James A. Bruen

21 Attorneys for Defendant and Counterclaimant  
22 GE TRANSPORTATION SYSTEMS  
23 GLOBAL SIGNALING, LLC

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 DATED: July 2, 2009

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28 HONORABLE JEFFREY S. WHITE  
United States District Judge